

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** Chair Nancy Ballance, on February 19, 2015 at 3:00 PM, in Room 102 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Nancy Ballance, Chair (R)  
Rep. Pat Noonan, Vice Chair (D)  
Rep. Randy Brodehl (R)  
Rep. Tom Burnett (R)  
Rep. Kimberly Dudik (D)  
Rep. Ron Ehli (R)  
Rep. Janet Ellis (D)  
Rep. Carl Glimm (R)  
Rep. Dave Hagstrom (R)  
Rep. Roy Hollandsworth (R)  
Rep. Kenneth Holmlund (R)  
Rep. Kelly McCarthy (D)  
Rep. Rae Peppers (D)  
Rep. Mitch Tropila (D)  
Rep. Brad Tschida (R)  
Rep. Tom Woods (D)

**Members Excused:** Rep. Ryan Osmundson, Vice Chair (R)  
Rep. Mike Cuffe (R)  
Rep. Donald W. Jones (R)  
Rep. Robert (Bob) Mehlhoff (D)

**Members Absent:** None

**Staff Present:** Katya Grover, Committee Secretary  
Julie Johnson, Legislative Branch  
Joe Triem, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 305, 2/13/2015; HB 322, 2/13/2015; HB 337, 2/13/2015; HB 9, 2/13/2015

Executive Action: HB 196; HB 290; SB 140

00:00:01 Chair Ballance

### **HEARING ON HB 305**

#### **Opening Statement by Sponsor:**

00:01:47 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 305, Revise laws related to protecting Montana's children.

00:02:31 Rep. Jones arrived

#### **Proponents' Testimony:**

00:04:10 Sarah Corbally, Administrator, Child and Family Services (CFS), Department of Public Health and Human Services (DPHHS)

#### **EXHIBIT(aph38a01)**

00:08:45 Rep. Glimm

00:09:11 Chair Ballance

00:09:52 Todd Garrison, Executive Director, ChildWise Institute

00:11:53 Dana Toole, Bureau Chief, Department of Justice (DOJ)

00:13:38 Robin Turner, Public Policy and Legal Director, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

00:14:25 Jani McCall, Legacy Provider Group (LPG), Montana Children's Initiative (MCI)

00:15:17 Mark Murphy, Montana County Attorney's Association (MCAA)

00:16:39 Pam Young, Assistant Director, Court Appointed Special Advocates For Children (CASA)

00:19:15 Brie Oliver, Lewis and Clark Public Health Department

#### **EXHIBIT(aph38a02)**

00:20:25 Judy Edwards, Executive Director, Healthy Mothers Healthy Babies (HMHB)

**Opponents' Testimony:** None

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

00:21:11 Rep. McCarthy

00:21:40 Sarah Corbally, CFS, DPHHS

00:22:08 Rep. Ehli

00:23:21 Sarah Corbally, CFS, DPHHS

00:25:02 Rep. Ehli

00:25:29 Sarah Corbally, CFS, DPHHS

00:26:21 Rep. Noonan

00:27:42 Sarah Corbally, CFS, DPHHS

00:29:17 Rep. Noonan

00:29:48 Sarah Corbally, CFS, DPHHS

00:30:31 Rep. Noonan

00:30:40 Sarah Corbally, CFS, DPHHS

00:31:11 Rep. Noonan

00:32:14 Chair Ballance

00:32:39 Rep. Holmlund  
 00:33:13 Sarah Corbally, CFS, DPHHS  
 00:34:17 Rep. Ellis  
 00:34:56 Sarah Corbally, CFS, DPHHS  
 00:35:01 Rep. Ellis  
 00:35:14 Chair Ballance  
 00:35:30 Rep. Tschida  
 00:35:48 Sarah Corbally, CFS, DPHHS  
 00:35:50 Rep. Tschida  
 00:35:56 Sarah Corbally, CFS, DPHHS  
 00:36:06 Rep. Tschida  
 00:36:09 Sarah Corbally, CFS, DPHHS  
 00:36:20 Rep. Hagstrom  
 00:36:30 Sarah Corbally, CFS, DPHHS  
 00:36:43 Rep. Hagstrom  
 00:36:56 Sarah Corbally, CFS, DPHHS  
 00:37:03 Erica Betz, Fiscal Bureau Chief, Child and Family Services (CFS)  
 00:37:36 Rep. Hagstrom  
 00:37:47 Chair Ballance  
 00:38:00 Rep. Noonan  
 00:39:03 Sarah Corbally, CFS, DPHHS  
 00:39:18 Chair Ballance  
 00:39:23 Rep. Ellis  
 00:39:55 Sarah Corbally, CFS, DPHHS  
 00:40:14 Chair Ballance  
 00:41:19 Sarah Corbally, CFS, DPHHS

**Closing by Sponsor:**

00:41:37 Rep. Dudik  
 00:42:26 Chair Ballance

**HEARING ON HB 322**

**Opening Statement by Sponsor:**

00:42:48 Rep. Donald Jones (R), HD 46, opened the hearing on HB 322, Create education savings accounts for children with disabilities.

**Proponents' Testimony:**

00:45:26 Sen. Hansen

**Opponents' Testimony:**

00:49:06 Dennis Parman, Deputy Superintendent, Office of Public Instruction (OPI)  
 00:53:43 Rep. Cuffe arrived.  
 00:55:48 Kirk Miller, Executive Director, School Administrators of Montana (SAM)  
 00:57:43 Erik Burke, Montana Education Association-Montana Federation of Teachers (MEA-MFT)  
 00:59:02 Bob Vogel, Montana School Board Association (MSBA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:00:06	Rep. Tschida
01:00:24	Erik Burke, MEA-MFT
01:00:32	Rep. Tschida
01:00:36	Erik Burke, MEA-MFT
01:00:45	Rep. Tschida
01:00:57	Erik Burke, MEA-MFT
01:01:10	Rep. Brodehl
01:01:32	Erik Burke, MEA-MFT
01:01:38	Rep. Brodehl
01:02:06	Erik Burke, MEA-MFT
01:02:14	Rep. Brodehl
01:02:49	Dennis Parman, OPI
01:03:01	Frank Podobnik, Division Administrator, Office of Public Instruction (OPI)
01:03:22	Rep. Brodehl
01:03:30	Frank Podobnik, OPI
01:03:33	Rep. Brodehl
01:03:46	Frank Podobnik, OPI
01:03:58	Rep. Ellis
01:06:34	Sen. Hansen
01:06:44	Chair Ballance
01:08:06	Rep. Ellis
01:08:14	Chair Ballance
01:10:11	Sen. Hansen
01:10:13	Chair Ballance
01:10:34	Rep. Ellis
01:10:59	Chair Ballance
01:11:30	Rep. Ellis
01:12:20	Chair Ballance
01:12:40	Julie Johnson, Legislative Services Division (LSD)
01:13:23	Chair Ballance
01:13:27	Rep. Ellis
01:13:54	Chair Ballance
01:13:57	Sen. Hansen
01:14:26	Rep. Ellis
01:14:40	Sen. Hansen
01:14:54	Rep. Woods
01:15:20	Sen. Hansen
01:15:25	Rep. Woods
01:15:32	Sen. Hansen
01:15:40	Rep. Holmlund
01:16:02	Rep. Jones
01:16:08	Rep. Holmlund
01:16:12	Chair Ballance
01:16:18	Rep. McCarthy
01:16:55	Rep. Jones
01:17:12	Rep. Dudik
01:18:38	Rep. Jones

01:18:47 Sen. Hansen  
01:19:48 Rep. Dudik  
01:20:01 Sen. Hansen  
01:20:08 Chair Ballance  
01:20:32 Dennis Parman, OPI  
01:22:38 Chair Ballance  
01:22:58 Dennis Parman, OPI  
01:23:47 Chair Ballance  
01:24:07 Dennis Parman, OPI

**Closing by Sponsor:**

01:24:18 Rep. Jones

**HEARING ON HB 337**

**Opening Statement by Sponsor:**

01:26:04 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 337, Increase resource limits for medicaid program for workers with disabilities.

**Proponents' Testimony:**

01:28:02 Joel Peden, Montana Independent Living Centers (MILC)  
01:32:53 Travis Hoffman, Advocacy Coordinator, Summit Independent Living Center (SILC)

**[EXHIBIT\(aph38a03\)](#)**

**Opponents' Testimony:** None

**Informational Testimony:**

01:38:11 Duane Preshinger, Administrator, Health Resource Division (HRD)

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:39:04 Rep. Karjala

01:39:47 Recess

01:49:25 Reconvened

**HEARING ON HB 9**

**Opening Statement by Sponsor:**

01:49:31 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 9, Cultural and Aesthetic Grants.

**[EXHIBIT\(aph38a04\)](#)**

01:56:10 Chair Ballance

01:56:45 Rep. Cuffe

01:57:16 Chair Ballance

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

01:58:22 Carleen Layne, Accountant, Montana Arts Council (MAC)  
 01:58:59 Penny Redli, Chair, Cultural and Aesthetics Advisory Committee, Montana Arts Council (MAC)  
 01:59:21 Arlynn Fishbaugh, Executive Director, Montana Arts Council (MAC)  
 01:59:39 Kristin Han Burgoyne, Database and Grants Director, Montana Arts Council (MAC)  
 02:00:09 Chair Ballance  
 02:01:03 Cathy Duncan, Senior Fiscal Analyst, Legislative Fiscal Division (LFD)

**Questions from Committee Members and Responses:**

02:02:28 Rep. Brodehl  
 02:02:56 Cathy Duncan, LFD  
 02:04:02 Rep. Brodehl  
 02:04:18 Cathy Duncan, LFD  
 02:04:30 Chair Ballance  
 02:04:45 Rep. Mehlhoff  
 02:05:28 Carleen Layne, MAC  
 02:06:14 Rep. Mehlhoff  
 02:06:22 Carleen Layne, MAC  
 02:06:35 Rep. Mehlhoff  
 02:07:59 Rep. Tropila  
 02:08:44 Rep. Ellis  
 02:09:14 Rep. Cuffe

**Closing by Sponsor:**

02:09:30 Rep. Cuffe  
 02:11:56 Chair Ballance

**EXECUTIVE ACTION ON HB 196**

02:12:48 **Motion:** Rep. Osmundson moved that **HB 196 DO PASS.**  
 02:13:05 **Motion:** Rep. Osmundson moved that **HB 196 BE AMENDED.**  
[\*\*EXHIBIT\*\*](#)(aph38a05)

**Discussion:**

02:13:42 Rep. Jones  
 02:14:09 Rep. Dudik  
 02:14:22 Rep. Jones  
 02:15:15 Rep. Dudik  
 02:15:56 Rep. Jones  
 02:16:43 Rep. Dudik  
 02:17:07 Rep. Jones  
 02:17:22 Rep. Woods

02:17:51 Rep. Noonan  
02:18:49 Chair Ballance  
02:18:56 Rep. Jones  
02:19:11 Chair Ballance  
02:19:22 Rep. Jones  
02:19:32 Rep. Dudik  
02:19:41 Rep. Jones  
02:20:23 Rep. Noonan  
02:20:33 Rep. Brodehl  
02:20:51 Rep. Dudik  
02:21:17 Rep. Jones  
02:21:36 Rep. Dudik  
02:22:06 Chair Ballance  
02:22:20 Rep. Dudik  
02:22:38 Chair Ballance  
02:22:55 Julie Johnson, LSD  
02:23:02 Rep. Woods  
02:24:01 Chair Ballance  
02:24:05 Rep. Woods  
02:24:10 Chair Ballance  
02:24:32 Rep. Cuffe  
02:25:00 Chair Ballance  
02:25:14 Rep. Noonan  
02:25:35 Rep. Ellis

02:25:57 **Motion/Vote:** Rep. Ellis moved **THAT (1) AND (2) IN HB019602.ASB BE SEGREGATED.** Motion failed 4-16 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Peppers and Rep. Woods voting aye.

02:27:47 Chair Ballance

02:27:54 **Vote:** Motion carried 18-2 by roll call vote with Rep. Burnett and Rep. Dudik voting no.

02:29:39 **Motion:** Rep. Osmundson moved that **HB 196 DO PASS AS AMENDED.**

**Discussion:**

02:29:49 Rep. Glimm  
02:30:08 Rep. Tropila  
02:30:36 Rep. Hollandsworth  
02:31:14 Rep. McCarthy  
02:32:14 Chair Ballance

02:32:21 **Vote:** Motion carried 18-2 by roll call vote with Rep. Burnett and Rep. Glimm voting no.

**EXECUTIVE ACTION ON HB 290**

02:33:37     **Motion/Vote:** Rep. Osmundson moved that **HB 290 DO PASS**. Motion carried 16-4 by voice vote with Rep. Dudik, Rep. Mehlhoff, Rep. Peppers and Rep. Tropila voting no.

**EXECUTIVE ACTION ON SB 140**

02:34:44     **Motion:** Rep. Osmundson moved that **SB 140 BE CONCURRED IN**.

**Discussion:**

02:34:58     Rep. Hollandsworth

02:35:06     Chair Ballance

02:35:13     **Vote:** Motion carried 16-4 by voice vote with Rep. Dudik, Rep. Hagstrom, Rep. Noonan and Rep. Peppers voting no. Rep. Osmundson will carry the bill.

02:36:06     Rep. Mehlhoff

02:36:16     Rep. Ellis

02:36:37     Chair Ballance



**ADJOURNMENT**

02:37:23      Adjournment

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Katya Grover, Secretary

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Additional Documents:

**EXHIBIT**([aph38aad.pdf](#))